

8b. 2014SP-011-001

NASHVILLE BALLET

Map 104-01, Parcel(s) 140, 434 Map 104-01-0-A, Parcel(s) 001-005

Council District 24 (Jason Holleman)

Staff Reviewer: Duane Cuthbertson

A request to rezone from IWD and RS5 to SP-MU zoning for properties located at 3622, 3622B, 3624, 3626, 3628, and 3632 Redmon Street and at Normandy Circle (unnumbered), approximately 260 feet east of 37th Avenue North (4.72 Acres), to permit a mixture of uses, requested by Ingram Civil Engineering, applicant; Nashville Ballet, owner.

Staff Recommendation: Approve with conditions if the associated policy amendment is approved and disapprove without all conditions. Disapprove if the associated policy amendment is not approved.

APPLICANT REQUEST

Preliminary SP to permit a mixed-use development.

Preliminary SP

A request to rezone from Industrial Warehousing/Distribution (IWD) and Single-Family Residential (RS5) to Specific Plan, Mixed-Use (SP-MU) zoning for properties located at 3622, 3622B, 3624, 3626, 3628, and 3632 Redmon Street and at Normandy Circle (unnumbered), approximately 260 feet east of 37th Avenue North (4.72 acres), to permit a mix of uses.

Existing Zoning

Industrial Warehousing/Distribution (IWD) is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

Single-Family Residential (RS5) requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

Proposed Zoning

Specific Plan-Mixed Use (SP-MU) is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes commercial amusement (inside) uses in addition to rehearsal hall, personal instruction, general office, warehouse, custom assembly and retail uses.

CRITICAL PLANNING GOALS

N/A

WEST NASHVILLE COMMUNITY PLAN

Current Policy

Urban Neighborhood Maintenance (T4 NM)-is intended to preserve the general character of urban neighborhoods, such as their block and street patterns and the setbacks and spacing of the housing. These established urban neighborhoods are not static and do experience change over time, mostly when buildings are expanded or replaced.

Current Special Policy

The Special Policy proposed to be amended is within Area 07-T4-NM-04, which covers the Sylvan Heights neighborhood. The existing Special Policy language is found under the "Nonconforming Land Uses" bullet and reads as follows:

• Facilities at 3622-3630 Redmon Court (various condominium parcels), including an indoor climbing establishment, the Noah Liff Opera Center, and the Nashville Ballet, are located adjacent to the railroad. This area is zoned IWD. It is acceptable for the current uses to be retained, but the zoning and uses should not be allowed to expand or intensify. If the current uses cease, the land should be rezoned to conform to the T4 Urban Neighborhood Maintenance policy.

Proposed Policy

The current policy would remain T4 NM, but the Special Policy Area would be expanded to include two additional parcels and the Special Policy text would be amended as described below.

• Facilities at 3622, 3622B, 3624, 3626, 3628, and 3632 Redmon Street and 0 Normandy Circle contain a former industrial building that is now the location of the Martin Center for the Nashville Ballet, the Noah Liff Opera Center, and a small antiques business. Any future changes in the scope and character of Nonconforming Land Uses on the site are guided by the following:

- The Design Principles of the T4 Urban Mixed Use Neighborhood policy category are followed with the exception of any conflicting provisions below.*
- Future non-residential uses on the site are limited to activities that do not generate traffic in amounts that are significant enough to trigger a need for capacity improvements to 37th Avenue North.*
- The regular use of tractor-trailer trucks to serve the site is inappropriate because of the disruption they cause in a residential neighborhood environment.*
- The presence of retail on the site is expected to be limited or an accessory role. This site does not have the level of access needed to support a concentration of retail activity since it is not within a central location within the neighborhood and is hemmed in by railroad tracks at the end of a dead-end street with no realistic possibilities for future access to the rest of the transportation system.*

February 13, 2014, Planning Commission meeting

- o *The height of the current building is not exceeded in any future expansion or new development on the site.*

Consistent with Policy?

The proposed SP zoning district permits the expansion of the Nashville Ballet, principally inside the existing building, as well as the improvement of the existing parking area and expansion of the parking area into an adjacent vacant residential lot. The SP also incorporates a small land-locked Metro owned back tax property on the north side of the site. The SP accounts for the existing warehouse use in the middle of the building, the retail use and the existing Opera Center on the east side of the building. The building expansion proposed with this SP is limited to the primary entrance for the Nashville Ballet portion (west side) of the building.

The Nashville Ballet is expanding within the existing building, into a space to the north previously occupied by Climb Nashville, another commercial amusement (inside) use. The SP does not intend to intensify the uses nor does it intend for future expansion of the building beyond the small additions shown on the plan. The building will remain at its current height. No new access is proposed with the SP.

PLAN DETAILS

The site is tucked into the back side of a residential neighborhood against CSX railroad tracks to the south and east at the site of an inappropriate industrially zoned property. Redmon Street is accessed from 37th Avenue North, which runs between Charlotte Avenue to the north and Nebraska Avenue to the south. Access to the site is limited to the existing point on Redmon Street.

Site Plan

The plan calls for the continued use of the existing 55,613 sq. ft. building for Commercial Amusement (inside), Personal Instruction, Rehearsal Hall, General Office, Warehouse, Custom Assembly and Retail uses.

The Nashville Ballet will expand into a large portion of the building to the north and occupy most of the western half of the building. The Nashville Ballet includes rehearsal and instruction spaces as well as a small performance space. The SP accounts for their warehouse and custom assembly shop associated with the production and storing of props. The SP would also allow the Nashville Ballet to provide accessory retail. An antiquing business exists in the center of the building utilizing warehouse, custom assembly, general office and retail uses. The SP also recognizes the continued use of the western portion of the building by the Noah Liff Opera Center. The SP removes all other IWD uses as an option for the site.

The plan proposes two expansions on the east side of the building totaling 1,871 sq. ft. The additions will expand the building by 3% to 57,484 sq. ft. The building height will remain 2 stories in 33 feet.

The parking area on the west side of the building will be reorganized to improve circulation and expand into the adjacent lot on the north side of Redmon Street. The total parking provided on the property will be reduced by five spaces to a total of 187. The total number of parking spaces provided on the site is less than the accumulated Code requirement; however, the applicant submitted a parking study performed for the site in 2011 indicating a peak parking occupancy of 70%. The SP will provide more parking spaces than the maximum number utilized in the study. The plan indicates the parking area will continue to utilize a portion of the right-of-way (ROW) for Redmon Street. The plan also shows a portion of the existing building and proposed building expansion in that same ROW. Public Works has reviewed and recommended approval of this plan.

Signage will be limited with the SP to permit one sign on the west façade of the building for the Nashville Ballet as well as existing signage on the south side of the site for the antiquing business and for the Nashville Opera, including their ground sign on the south side of the site. The antiques business has a small building sign on the south facade that is not visible from a public street. No other ground signs or building signs will be permitted with the SP.

ANALYSIS

The plan is consistent with the proposed land use policy. The SP enables existing uses while eliminating a number of IWD associated uses that are incompatible with the surrounding residential neighborhood. It also enables the improvement of the existing parking area and appearance of the western portion of the site that is visible from Redmon Street.

STORMWATER RECOMMENDATION

Approved

PUBLIC WORKS RECOMMENDATION

Approved with conditions

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Utilize existing solid waste and recycling facilities, if they currently exist. If they do not exist indicate on the building permit submittal the location of the solid waste and recycling facilities.

No traffic table was prepared as the proposed SP district would not generate any more traffic than what would be generated by the existing non-conforming uses.

February 13, 2014, Planning Commission meeting

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions and disapproved without all conditions if the associated policy amendment is approved and disapproved if the associated policy amendment is not approved.

CONDITIONS

1. Permitted land uses shall be limited to Commercial Amusement (inside), Personal Instruction, Rehearsal Hall, General Office, Warehouse, Custom Assembly, and Retail.
2. Prior to Final Site Plan approval, a note shall be added to the final site plan and an access easement over the portion of the driveway located on the north side of the building on adjacent property shall be recorded.
3. Prior to Final Site Plan approval, obtain necessary approvals from Public Works in order to retain and utilize the existing ROW for Redmon Street shown on the plan.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Approved with conditions and disapproved without all conditions (6-0), Consent Agenda

Resolution No. RS2014-40

"BE IT RESOLVED by The Metropolitan Planning Commission that 2014SP-011-001 is **Approved with conditions and disapproved without all conditions. (6-0)**

CONDITIONS

1. Permitted land uses shall be limited to Commercial Amusement (inside), Personal Instruction, Rehearsal Hall, General Office, Warehouse, Custom Assembly, and Retail.
2. Prior to Final Site Plan approval, a note shall be added to the final site plan and an access easement over the portion of the driveway located on the north side of the building on adjacent property shall be recorded.
3. Prior to Final Site Plan approval, obtain necessary approvals from Public Works in order to retain and utilize the existing ROW for Redmon Street shown on the plan.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

February 13, 2014, Planning Commission meeting

- 6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.**
 - 7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.**
-